

box.

Furthermore, Gavin relates to non-analogous art. It is claimed that a distribution tank-whether for septic water or other fluid-it is passing into the tank chamber and thereby being distributed through openings into outlet pipes - i.e., the tank acts as a manifold. This context and has nothing to do with sealing a manhole/inspection pit or sump of a fuel pump to prevent ingress of groundwater flooding where the pipework passes through and out of the chamber as it is not in direct fluid communication with the interior of the claimed.

Manhole/inspection pits and sumps in fuel pumping systems are referred to as distribution boxes. The disclosure of Gavin is absolutely silent as to how these boxes are sealed. The invention addresses the risks of leakage of the water contained in these boxes if the seals of the incoming or out-going open-ended pipes are disrupted. The disclosure states that the interior of the box should be disrupted through shifting of the pipe relative to the box.

Moreover, and also of importance, independent claims 26 and 25 each define the feature of an energy transfer means that is a rigid flange surface of the fitting. This is not taught or suggested by Gavin. Instead, Gavin proposes using a flat flange for chemical adhesion or thermal welding, i.e., through spinning of two surfaces in contact to

REMARKS

Reconsideration and withdrawal of the rejection with respect to all of the claims now in the application (i.e., Claims 22-39) is respectfully requested in view of the foregoing amendments and following remarks.

By this Amendment, Claims 22, 24, 25, 27, 29-32, and 34 have been amended and new Claims 38 and 39 have been added. No new matter has been introduced. Claims 38 and 39 simply define the fitting as part of a fuel tank installation and as part of a fuel pump installation, respectively; support for this can be found, e.g., under Field of the Invention (p.1, final paragraph) p.6, first paragraph, page 7, lines 7-10, and p. 8, line 9, to p.9, line 5.

Concerning initially the 112 rejection of Claim 26, by this Amendment Claim 25 has been amended to delete the limitation set forth in Claim 26. Consequently, it is now believed that Claim 26 is definite.

Turning now to the 102 rejection of the claims as being anticipated by Gavin (U.S. Patent 5,655,564), it should be noted that Gavin does not show the energy transfer means provided on the flange (as the Examiner subsequently acknowledges when discussing Evans), now set forth in each of the independent claims. Furthermore, the independent claims now each receive a rigid fitting as opposed to the previously recited "substantially rigid" fitting. Quite clearly Gavin's fitting is not rigid since a major part of the fitting is an integral elastomeric seal structure for sealing to the pipe that feeds water into the chamber of his distribution

Neither Gavin nor Evans nor Jappinen nor any other citation proposes use of energy transfer means on a flat flange surface. In the known prior art that teaches use of electrofusion as a means of securing two surfaces together, the joints are all pipe-to-pipe saddle/tee joints and the surfaces are all curved, not flat as presently claimed.

The use of energy transfer means on a flat flange of a rigid fitting for connection between a pipe and chamber wall, as presently claimed, is not taught or suggested by the prior art and provides a unique and effective solution to the long-outstanding problem of providing a readily installed, secure seal between a fuel conveying pipe and manhole inspection pit of a fuel tank or sump of a fuel pump.

With respect to the rejection to Claims 30 and 31 as being anticipated by Gavin, Claims 30 and 31 which refer to the boot/sealing member for sealing the fitting to the pipe have been amended to make it clear that the sealing member is fitted over one of the tubular extensions. There is no such provision in Gavin. Gavin only has an integral internal seal member which is responsible for the flexibility of Gavin's fitting.

Dependent claims 23-31 and 33-37 have also been rejected as being anticipated by Gavin or being unpatentable over Gavin in view of Evans. However, they are now believed to be allowable, at least in part, based upon the fact that they are dependent upon independent claims 22 and 32 which are now believed to be allowable.

In light of the arguments and amendments contained herein, all claims now pending in the application are believed to be allowable. Accordingly, an

expeditious and favorable action is hereby solicited. If the Examiner has any further questions regarding this application, he is respectfully requested to contact applicant's attorney at the phone number set forth below.

Finally, Applicant hereby requests a three month extension of time in which to respond to the outstanding Office Action. Credit Card payment form no. PTO-2038 for four hundred and sixty five dollars (\$465.00) is enclosed . Any fee deficiency or overpayment may be charged or credited to applicant's Deposit Account No. 07-0130.

Respectfully submitted,

WRIGHT ET AL.



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